

## PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: June 30, 2010

CALLED TO ORDER: 5:31 p.m.

ADJOURNED: 5:38 p.m.

### ATTENDANCE

#### Attending Members

Benjamin Hunter, Chair  
Vernon Brown  
Bob Cockrum  
Mary Moriarty Adams  
William Oliver  
Marilyn Pfisterer  
Christine Scales  
Ryan Vaughn

#### Absent Members

### AGENDA

PROPOSAL NO. 190, 2010 - re-establishes the Cumulative Firefighting Building and Equipment Fund for the Fire Special Service District of Indianapolis and provides for the continuation of the tax rate for said fund to be used for firefighting capital expenditures  
"Do Pass" Vote: 8-0

## PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday, June 30, 2010. Chair Benjamin Hunter called the meeting to order at 5:31 p.m. with the following members present: Vernon Brown, Bob Cockrum, Mary Moriarty Adams, William Oliver, Marilyn Pfisterer, Christine Scales and Ryan Vaughn. Representing Council staff was Robert Elrod, General Counsel.

PROPOSAL NO. 190, 2010 - re-establishes the Cumulative Firefighting Building and Equipment Fund for the Fire Special Service District of Indianapolis and provides for the continuation of the tax rate for said fund to be used for firefighting capital expenditures

Jason Dudich, Budget Manager, Office of Finance and Management (OFM), said that pursuant to Indiana Code (IC) 36-8-14, a fiscal body can establish a firefighting cumulative fund, and they have done that. He said they are now asking to re-establish that fund. He said that the State Department of Local Government Finance (DLGF) has requested that the City of Indianapolis and the Fire Special Service District take the necessary steps under IC 6-1.1-41. Mr. Dudich said that this proposal re-establishes this fund on an ongoing basis.

Councillor Scales stated that IC 36-8-14 (1) states that it applies to all units except counties. She asked for an explanation of that. Mr. Dudich said that his understanding is that there are county cumulative funds and city cumulative funds. He said that this applies to a city cumulative fund that is within the Indianapolis Fire Department (IFD) district, and does not apply to the entire county.

Councillor Pfisterer asked if additional money goes into this particular fund other than property taxes. Mr. Dudich answered that there are some cursory funds that are associated with property taxes, such as the commercial vehicle excise tax, the auto excise tax, and the financial institutions tax. However, property tax is the majority of the revenue that goes into this fund.

Councillor Cockrum asked if this tax has been levied before. Mr. Dudich answered in the affirmative, and stated that it was levied in 2008 and 2010, but the DLGF did not provide the levy in 2009. He said they are asking for it to continue in 2011. Councillor Cockrum asked what the current rate is. Mr. Dudich answered that it is .0099, just shy of a penny. Councillor Cockrum said that is substantially less than the limit that the ordinance allows. Mr. Dudich stated that this is correct, and said that the ordinance establishes the maximum rate allowable by state law. He said they put this as the ceiling, but they will continue to levy the tax rate of .0099 in 2011.

Councillor Cockrum asked if the current tax rate was effective 2010, pay 2011. Mr. Dudich answered that it was effective for 2009, pay 2010, and the rate stated in Section 3 of the ordinance will be for 2010, pay 2011.

Councillor Brown asked if this covers IFD's current configurations. Mr. Dudich answered in the affirmative, and stated that it will include Center, Warren, Washington and Perry Townships. Councillor Brown asked if it will cover Franklin Township, since they will be consolidated on July 1, 2010. Mr. Dudich said that he will have to check on that and provide that information to the Committee, but he believes that it will include them as part of the 2011 levy. Councillor Brown asked on what items the cumulative fund can be spent. Mr. Dudich said it can be spent on capital items, building improvements and ambulance services. He said there is a statute that states what it can be used for, but it is very specific in terms of fire protection services, such as apparatus, lease payments on apparatus, and structures or buildings that might be required for fire protection services.

Chair Hunter stated that this is not new to Marion County. Mr. Dudich said that this is correct. He said that it is a continuation from 2010, but OFM just has to procedurally ask for the Council to re-establish the fund, as required by the State. Chair Hunter asked if OFM will have to go through this process on an annual basis. Mr. Dudich answered in the negative, and stated that they will only need to go through this process again if the Council or Administration ever wishes to increase the rate above .0099.

Councillor Brown asked if this is approved by the full Council, if the revenues for the remainder of the year will be included in the 2011 budget. Mr. Dudich answered in the affirmative. Councillor Brown asked if Mr. Dudich can get him the information about Franklin Township before the next full Council meeting. Mr. Dudich answered in the affirmative.

Councillor Moriarty Adams moved, seconded by Councillor Pfisterer, to forward Proposal No. 190, 2010 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 5:38 p.m.

Respectfully submitted,

Benjamin Hunter, Chair  
Public Safety and Criminal Justice Committee

BH/nsd